



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/343,550 06/30/99 ALVIN

R HSI-006

EXAMINER

TM02/1002

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NGUYEN, C

ART UNIT

PAPER NUMBER

2165

DATE MAILED:

10/02/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/343,550

Applicant(s)

Robert S. Alvin

Examiner

Cuong H. Nguyen

Art Unit

2165



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jul 28, 1999
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5 is/are allowed.
- 6) ☒ Claim(s) 6-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d):
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other:

DETAILED ACTION

1. This Office Action is the answer to the application received on 6/30/1999, which paper has been placed of record.
2. Claims 1-9 are pending in this application.

Drawings

3. This application has been filed with informal drawings, and they are required to be corrected as indications by the draftsman.
4. The following rejections are based on the examiner's broadest reasonable interpretation of the claims; *In re Pearson*, 181 USPQ 641 (CCPA 1974).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall **contain a written description** of the invention, and of the manner and process of making and using it, in such **full, clear, concise, and exact terms** as to enable any person skilled in the art to which it pertains to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 6, 8 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to use the invention. These claims contain limitations of "first credit authorization means", "second credit authorization means", and "conducting a first credit authorization check based upon a first set of credit

authorization rules", and "reviewing each credit rejection demand generated by said first credit authorization check", but no where in the pending application that these claimed features and corresponding supports are substantially elaborated.

6. Claims 7, 9 are rejected for incorporating the above defect from their parent claims by dependencies.

Provisionally Allowable Subject Matter

7. The independent claim 1 is provisionally patentable distinct over closest reference of Bogosian (WO 9618168 A1 - 06/13/1996), because this reference does not expressly teach a transaction processor for facilitating retail sale of selected product directly from a distributor, comprising:

- a commercial authorization service for generating a fraud score of the orders accepted by the fraud checker, and a comparator for comparing said fraud score with a predetermined threshold to determine if the purchase order should be accepted or rejected.

8. The independent claim 4 is provisionally patentable distinct over closest references of Bogosian (WO 9618168 A1 - 06/13/1996), because this reference does not expressly teach an Internet-centric transaction method for facilitating retail sale of selected product directly from a distributor, comprising:

- performing a commercial fraud check on accepted orders to generate a fraud score, and comparing the fraud score with a

predetermined threshold to either accept or reject said purchase order.

9. Claims 2-3, 5 are allowed because they are dependent claims of the allowable, independent claims 1, and 4.

Conclusion

10. Claims 1-5 are allowed; and claims 6-9 are rejected.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Cuong H. Nguyen, whose telephone number is (703) 305-4553. The examiner can normally be reached on Mon.-Fri. from 7:30AM-3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins, can be reached on (703) 308-1344.

Any response to this action should be mailed to: Box

Amendments

Commissioner of Patents and Trademarks

c/o Technology Center 2100

Washington, D.C. 20231

or faxed to: (703) 308-9051, (for formal communications)

Or: (703) 305-0040 (for informal or draft
communications)

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Quang Nguyen

Patent Examiner
Sept. 28, 2001